

PATENT APPLICATION  
Client Seq. No. 1057  
Do. No. 2705-101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jerry Doty, Luis A. Viriato and Ronald R. Meadows

Confirmation No: 7831

Serial No.: 09/753,307 Examiner: Karen L. Le

Filed: December 29, 2000 Group Art Unit: 2614

For: METHOD FOR SWITCHING ACTIVE CALLS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed January 3, 2008, finally rejecting claims 1-19. The item(s) checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of

other than a small entity  
 small entity. Verified statement  attached  already filed on \_\_\_\_\_.

**2. FEE FOR FILING NOTICE OF APPEAL**

It is Applicant's understanding that any previously paid appeal fees as set forth in 37 CFR §41.20 will be applied to the new appeal, as long as a final Board decision has not been made on the prior appeal. Therefore, Applicant believes there is no fee due for filing this Notice of Appeal.

### **3. EXTENSION OF TERM**

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of #1.136 for patent applications 37 CFR 1.191(d). But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).

**(complete (a) or (b) as applicable)**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a)  Applicant petitions for an extension of time under 37 CFR 1.17 (a)-(d) for the total number of months checked below:

Extension Fee:

<u>Months</u>	<u>Small Entity</u>	<u>Other Than Small Entity</u>
<input type="checkbox"/> one month	\$ 60.00	\$ 120.00
<input type="checkbox"/> two months	\$225.00	\$ 450.00
<input type="checkbox"/> three months	\$510.00	\$ 1020.00
<input type="checkbox"/> four months	\$795.00	\$1,590.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- An extension for \_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request      \$ \_\_\_\_

or

- (b)  Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### **4. TOTAL FEE DUE**

The total fee due is :

Notice of Appeal fee      \$ 0  
Extension fee (if any)      \$ 0

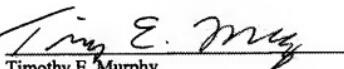
**TOTAL FEE DUE      \$ 0**

**5. FEE PAYMENT**

- Payment is made electronically by credit card.
- Any deficiency or overpayment for extensions of time or claims should be charged or credited to deposit account number 13-1703.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

  
Timothy E. Murphy  
Reg. No. 59,092

MARGER JOHNSON & McCOLLOM  
210 SW Morrison Street, Suite 400  
Portland, OR 97204  
(503) 222-3613